VI

PAPERS LAID ON THE TABLE OF THE HOUSE.

1. [a] List of posts on Rs. 500 per mensem and above created during the quarter ending September 1928.

2. G.O. No. 2651, [b] Revenue, dated 9th November 1928, regarding the proposed settlement of Nugur taluk, East Godavari district.

3. G.O. No. 1792, [b] Development, dated 22nd October 1928, recording the audit report of the Government Industrial Institute, Madras, for the year ending 31st March 1928.

4. G.O. No. 1832, [b] Development, dated 29th October 1928, recording the audit report and accounts of the Industrial Engineering Workshops, Madras, for the year ending 31st March 1928.

5. G.O. No. 1987, [b] Development, dated 24th November 1928, recording the audit report and accounts of Fisheries—Cannery—for the year ending 31st March 1928.

6. [b] Report of the Special Officer for the Survey of Cottage Industries in the Malabar, South Kanara and the Nilgiri districts.

7. [c] Statement showing the kinds and rates of excise duties and licence fees paid by liquor shops and particulars of the non-proprietary clubs which supply foreign liquor to the members.

8. G.O. No. 2348, [d] Law and Education, dated 7th December 1928, issuing a press communiqué relating to the future organization and development of the Andhra University.

9. G.O. No. 2709, [e] Revenue, dated 16th November 1928, recording the report of the Board of Revenue on the levy of penalty on arrears of loans in the Anantapur district (vide answer to question No. 452, answered on 9th October 1928).

10. Statement [f] showing the number, status, pay or income of officers performing the functions of inspectors of buses in the Madras City and in the mufassal, and the receipt of fees for inspection for the year ending 30th June 1928 (vide answer to question No. 198, answered on 6th September 1928).

11. Report [g] of the Commissioner of Excise, C.R. No. 10461, Abkari, dated 27th November 1928, regarding the location of arrack shops at Nallagatla, Erraguntla and Bathulur (vide answers to supplementary questions to question No. 783 answered on 28th November 1928).

VII

AMENDMENTS TO STANDING ORDERS

* The hon. the PRESIDENT :—" The first item on the list of business is a motion by Mr. Saldanha for the amendment of certain Standing Orders. Copies of the draft amendments have already been circulated in print (printed below) and I take it that the House will take the draft amendments as read by me and does not want that I should read them again. I have to ask

[a] Printed as Appendix XXI at pages 164–166 infra.
[b] Printed separately.
[c] Printed as Appendix XXII at pages 167–175 infra.
[d] Printed as Appendix XXIII at pages 176–178 infra.
[e] Printed as Appendix XXIV at pages 178–182 infra.
[f] Printed as Appendix XXV at pages 183–185 infra.
[g] Printed as Appendix XXVI at page 186 infra.

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whether the hon. Member has the leave of the Council. Before doing so, however, I think it is necessary to point out that more than one amendment appears to me to be repugnant either to the provisions of the Government of India Act or of the Madras Legislative Council Rules. Though the power to over-rule amendments on the ground that they are ultra vires vests in me, I do not propose to exercise that power at this stage, but will allow the amendments to go before the House, and if the House grants leave to the Member, the Select Committee will no doubt examine the question how far the amendments are in order. I now ask whether the Member has the leave of the House.

(After a pause.)

"I take it that the hon. Member has the leave of the House.

"The draft amendments have now to be referred to a Select Committee of which the President shall be the Chairman and of which the Deputy President, the Advocate-General and Chairman of the Council to be nominated by me, shall be Members. Six other Members have to be elected by the Council by means of the single transferrable vote in accordance with the existing regulations framed for that purpose. I fix 3 p.m. to-day as the time for the presentation of nomination papers to the Secretary under regulation II of the regulations for the holding of elections by means of the single transferrable vote."

AMENDMENTS.

Standing Order No. 4.

Substitute the following for the present Standing Order No. 4:—

"While in session the Council shall ordinarily sit never more than five days at a stretch, and shall commence its proceedings at 11 o'clock in the morning and never sit for more than two hours and a half at a time without a break, unless the President otherwise permit without objection from twenty or more members."

Standing Order No. 8.

Add the following at the end of Standing Order No. 8:—

"It may be extended with the leave of the Council, and may be shortened if there is time left after all questions and supplementary questions are answered. In the latter case the mover of any motion not mentioned in the agenda papers will be entitled to insist that his motion may be moved after the first hour allowed for questions and answers has run."

Standing Order No. 15.

Add Standing Order No. 15-A after Standing Order No. 15:—

"Answers to questions may not be refused or be evasive unless on the ground of public interest or labour involved clearly out of proportion to the importance of the answer to be given. Such refusal or evasiveness may be sufficient ground for asking leave for adjournment motion, if other conditions are satisfied."

Standing Order No. 20.

Add to Standing Order No. 20 the following clause :—

"Previous notice for asking the leave should be given to the Secretary to the Legislative Council, at least half an hour before the question time. Such notice will not be necessary if the motion for adjournment arises out of an answer given or refusal to give a proper answer at question time the same day, in which case leave may be asked immediately thereafter without any previous notice."

Standing Order No. 28.

Add to clause (1) of Standing Order No. 28 the following explanation :—

"*Explanation.*—Arguments based on the previous history of the subject matter before the Council drawn from authenticated facts or legendary lore or comparative or analogous facts throwing light on the matter are relevant."

Standing Order No. 30.

Insert the following new Standing Order after Standing Order No. 30 :—

"30-A. A motion by way of amendment or otherwise which covers more than one subject after debate thereon may be split by its author according to each subject, so that votes may be taken separately on each proposition covering that subject alone, without previous notice of his intention to do so."

Standing Order No. 36.

Add the following new Standing Order after Standing Order No. 36 :—

"36-A. The President may call upon a member to altogether stop his speech or supplementary question or resume his seat on account of irrelevancy of his speech or other infringement of a rule or standing order only after the member has had an opportunity to explain that irrelevancy or other infringement does not arise and has persisted in repeating more than once his alleged fault."

Standing Order No. 38.

Substitute the following clause *for* clause (2) :—

"(2) On the day on which any such motion is made or on any subsequent day to which discussion thereof is postponed where the Bill comprises only the main provision, the principle thereof, or where the Bill comprises several main provisions, the principle underlying the several provisions shall be explained by the author of the Bill or any of his supporters in his stead, and may be discussed by other members but not the details of the Bill or the several provisions further than is necessary to explain the principle or principles."

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Standing Order No. 40.

Add to clause (2) the following sub-clause :—

" The names of the other members of the Select Committee shall be sent to the Secretary to the Legislative Council at least three days before the day the Bill is to be so referred. In moving the inclusion of such members in the Committee, he may add the names of other members which have been communicated to the Secretary to the Legislative Council. Amendments to the list may be moved by other members for omission or addition to the list, provided notice has been given previously of such amendments."

Standing Order No. 41.

Add the following to clause (3) :—

" If the Select Committee decides that the Bill requires republication, the Secretary to the Legislative Council shall send it for republication in the *Fort St. George Gazette* with the report of the Committee, duly authenticated with his signature."

Standing Order No. 46.

In Standing Order No. 46, clause (1), *substitute* the word 'three' *for* the word 'ten;' and

add at the end " or unless it is a mere consequential or verbal amendment."

Standing Order No. 52.

Add at the end the words " It may then be withdrawn with the leave of the Council, but not otherwise."

Standing Order No. 65.

Substitute the following for clause (1) :—

" (1) Where a resolution or other motion for the purpose of discussing a matter of general importance under rule 24-A of the Madras Legislative Council Rules has been moved and decided upon in the Council, no motion or amendment raising substantially the same question shall be moved again within one year."

Standing Order No. 67.

Add after Standing Order No. 67 a new Standing Order as follows :—

" 67-A. There shall be a Finance Committee of the Council consisting of eleven members, eight of whom will be elected by the Council and two nominated by the Governor. The Finance Member will be ex officio member of and chairman of the committee."

Standing Order No. 68.

Add at the end the following words :—

" and the Committee of Finance."

Standing Order No. 80.

Add at the end the following words :—

" The Committee will order books for the library from the cheapest and best book firms in the world as it may select."

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New Standing Order No. 80-A.

Add the following as a new Standing Order No. 80-A—

" 80-A. The quorum for all committees constituted under the Standing Orders will consist of one-third of the total number of members of a committee or five, whichever number is larger."

VIII

THE ELLAMARRU AND PENJENDRA IMPARTIBLE ESTATES BILL.

* Diwan Bahadur S. KUMARASWAMI REDDIYAR :—" Mr. President, Sir, with your permission, I beg to move that all the items of business up to item No. 19 dealing with the Ellamarru and Penjendra Impartible Estates Bill be postponed till after that item is disposed of. The Bill relates to a simple non-controversial matter. As at present arranged in the agenda it is not likely to be taken up at this session of the Council. I therefore request that that item may be taken up first in preference to the other items placed before the House."

Mr. A. KALESWARA RAO :—" I second the motion for the adjournment of items 1—18 till after item No. 19 is disposed of. This simple and non-controversial matter can be taken up first and disposed of before the other long standing controversial matters are taken up."

* The hon. the PRESIDENT :—" The question is that items 1—18 be adjourned till after item 19 is disposed of."

12-15 p.m. * Sriman BISWANATH DASS Mahasayo :—" Mr. President, Sir, I am sorry to differ from my hon. Friends when they say that this is a non-controversial subject. To me it is a very controversial subject in so far as it brings time and again before this House the question of adding to the scheduled number of estates. It is a misfortune that we are assenting to each of such Bills without any enquiry or investigation into the nature or extent or the principle of these Bills. With regard to the present Bill I see from the schedule that a number of villages have been included, not only zamindari but also inams, and mokhasa villages. Portions of villages, one-third, one-fourth, half, have been included in the schedule. This being the case, I am very sorry I cannot agree with my hon. Friends that there will be no contention with regard to this Bill. Further, I have to record my protest against the way in which these Bills are proposed to be rushed through in the Council . . ."

* The hon. the PRESIDENT :—" I think the hon. Member will be in order if he refers to the question of the postponement of some of the items of business in the agenda."

* Sriman BISWANATH DASS Mahasayo :—" I bow to your ruling. I do not see any reason why this Bill should alone be given preference to other Bills which are more important in their nature and which are entered in the agenda in a certain order. For these reasons I oppose the motion for adjournment."

* Mr. A. RANGANATHA MUDALIYAR :—" Sir, I must associate myself with what has fallen from the hon. Member, Mr. Biswanath Das. Some of the Bills coming earlier in the agenda are very important but unfortunately have been postponed from time to time and I am sorry that even to-day a move is made to delay their consideration still further. When the Bill given notice of by my hon. Friend, Mr. Kumaraswami Reddiyar, comes before the House, we may have to say several things about it. I do not see